

Chapter 7. RESPONSES TO COMMENTS REGARDING THE PROPOSED PROJECT

Pursuant to Sections 2180.5 (d)(2)(vi) and 2180.5 (d)(3) (ii) of the Public Resources Code, a copy of the Draft Supplemental Environmental Document (DSED) was placed on file and made available for public review for a 45-day period. Notice was also given at the time of filing that any person interested in commenting on the DSED should do so, in writing, by 5:00 p.m. on August 22, 2005, to the Fish and Game Commission office in Sacramento. Written and oral comments relative to the DSED were also solicited by the Commission at its August 19, 2005 meeting in San Luis Obispo.

7.1 Summary of Comments Received

Written comments regarding the DSED were received by the Commission office from Lawanna Chapman, K-C Fish Co. Inc., Blaine, Washington on August 17, 2005, from Sam Liberati of Concord, California on August 19, 2005, from Matt Ryan and Kevin Marilley of Bellingham, Washington on August 22, 2005, and by the Department's Marine Region office in Belmont, from Doug Karlberg of Bellingham, Washington on August 19, 2005.

7.2 Department Responses to Comments

Lawanna Chapman Letter dated August 17, 2005

Comment 1

This comment is in support of quota Option 2 for the San Francisco Bay 2005-06 roe herring fishery which would provide for a 4,502 ton quota if the minimum mesh size is changed to 2-inches. Comment noted.

Comment 2

This comment is in support of all regulatory amendments proposed for the Tomales Bay roe herring fishery. Comment noted.

Comment 3

This comment is in support of the proposed reduction of permit transfer fees from \$5000 to \$1000 per permit transfer. Comment noted.

Doug Karlberg Letter dated August 15, 2005

Comment 1

This comment refers to the April 5, 2005 DHAC meeting described in Section 2.3 of the DSED and this FSED. As described the DHAC is comprised of industry members who are appointed and serve at the pleasure of the Director. The proposals referred to by Mr. Karlberg were submitted by a DHAC member to the DHAC for consideration at the April 5, 2005 meeting. The submitted proposals were received via e-mail on April 4, 2005 and added to the DHAC meeting agenda. Given the length of the agenda for the April meeting and given the timeframe for the meeting, DHAC members, not Department staff, prioritized what was to be covered at that meeting. Copies of the proposals were provided to each of the DHAC members at the meeting but they were not discussed. The proposals were not considered as proposals for regulatory change at this time, and therefore were not addressed through the regulatory process.

Comment 2

Please refer to the Department's response to Comment 1.

Comment 3

This comment refers to the independent herring stock assessment and survey method peer review that was conducted by California Sea Grant in the summer of 2003 and is described in Section 3.2.3 of the DSED. The peer review findings can be found in Appendix B of the DSED and of this FSED. The Department considers the peer review process to be rigorous and the findings valid. The Department agrees that the findings that the herring population has been reduced to 20 percent of the unfished level are cause for concern. The Department does not agree that this is proof of failure of fisheries management. Fisheries management is not an exact science. The ability of the Department to recognize that the conflicting data available reflected a possibly depressed population, and the subsequent consultation with other Department biologists, biologists from outside agencies and institutions, and the request for an independent peer review of the data, are all signs of proactive, adaptive management of a population that was showing signs of decline.

Comment 4

This comment refers to the age composition of the herring population, and the continuing lack of older fish in the population since the peer review was completed in August of 2003. See Section 3.3 and Table 2.5 of this FSED for more information on the status of the San Francisco Bay population. The Department has provided the Commission options of fishery closure and/or conservative harvest percentages, at or less than ten percent, since the peer review. The Department has also utilized the spawn survey biomass estimate as the primary basis for setting the fishery quota, per the peer review recommendations. However, despite any conservative measures, two years may not be enough time to realize any efforts made to rebuild the population.

Comment 5

This comment refers to the causes of overfishing. The Department concurs; the setting of quotas at too high a level will lead to diminished fish stocks. Please refer to Section 3.2.3 of this FSED for further explanation.

Comment 6

This comment refers to the proposed fishing quota, Option 1, in San Francisco Bay as outlined in Section 2.3.1.1. Proposed fishing quotas are based on a harvest percentage of the biomass estimate of the preceding season. The Department has typically recommended a harvest percentage of 10 to 15 percent. The proposed quota of 5,890 tons represents approximately 10 percent of the 58,934-tons biomass estimate and is at the conservative end of the above range. Please see Appendix 3 of the FED (www.dfg.ca.gov/mrd/herring/ceqa) for more information on the harvest percentage range.

Comment 7

This comment refers to the amount of money that the Department spends on the herring research and management project. The Department is in the process of reviewing ways to reduce the amount of money and time spent on this fishery as a result of a loss of biological staff and the status of the state budget.

Comment 8

This comment refers to the use of mathematical models and their use in fisheries management. The Department does not currently utilize a model, per se, to set the quota. The quota is simply based on a harvest percentage of the biomass estimate. Please see

Section 2.3.1.1 of this FSED and Appendix 3 of the FED
(www.dfg.ca.gov/mrd/herring/ceqa).

Comment 9

This comment refers to the accuracy of field data collected as part of the herring spawn survey in San Francisco Bay. The spawn surveys conducted by the Department are based on data collected in the field not on theory. Collection of data for the San Francisco Bay spawn survey has been completed by Department biologists who have, collectively, over 25 years experience in the collection of herring spawn deposition data. In addition, the stock assessment and review of survey methodology peer review panel included a biologist from Canada with considerable expertise in herring spawn deposition data collection. The Canadian biologist has worked with Department herring biologists and is aware of their expertise and knowledge. Coordination with other herring biologists on the west coast has been a practice of the Department for many years

Comment 10

This comment recommends that biological measuring devices be placed directly on fishing vessels and used as a method for bioacoustic survey. The Department appreciates this recommendation and will forward it to the DHAC and to the Commission for consideration.

Comment 11

This comment refers to the data collection format and the accessibility of data. The Department has developed a standardized format for collecting and analyzing spawn deposition data. It is not the Department's policy to publish raw data, and many other state and federal agencies share the same policy. However, this data is available for review in the Department's Marine Region office in Belmont. In addition, the three biologists on the Peer Review panel (Appendix B of this FSED) did provide an independent review of the Department's data collection, and management strategies.

Comment 12

This comment refers to the review and auditing of data. The Department welcomes further opportunity for peer review of data.

Comment 13

This comment refers to the benefits of cooperative fisheries management. The Department agrees that the best fisheries management is realized when scientific and field knowledge of fishermen is combined to provide for the best management of the resource. The Department also acknowledges that its responsibility in managing the herring resource includes managing for conservation as well as consumption.

Comment 14

This comment is a recommendation of a 3,000-ton quota. Comment noted.

Sam Liberati Letter dated August 10, 2005

Comment 1

This comment is a request that the Commission add three proposals to the August 19, 2005 Commission meeting agenda in San Luis Obispo. The proposals, (1) allow an individual to own a single permit for each of the different herring gillnet platoons in San Francisco Bay, (2) eliminate the point system for qualifying for a herring permit, and (3) allow a herring permit to be passed from a parent to child, or between husband and wife, were added to the agenda and the Commission requested that staff prepare a public notice to add these proposals to regulatory amendments for Section 163.1, Title 14, CCR to consider for adoption at the November 4, 2005 Commission meeting.

Matt Ryan and Kevin Marilley Letter received August 22, 2005

Comment 1

This comment refers to the Section 3.6 of the DSED which itemizes identified areas of controversy, specifically item number 8, and specifically refers to the Department's Marine Region Belmont office response. It should be noted that this response was drafted in consultation with the Department's legal counsel, as was the response in the DSED, and is the opinion of the Department, not solely the Belmont office herring staff.

Comment 2

The Department agrees that the Fish and Game Commission has held the management authority for all herring fisheries in the state since 1976.

Comment 3

This comment refers to the assertion that herring management continues to ignore the Fish and Game Code pertaining to the MLMA. This comment also presumes that MLMA applies to the Peer Review referred to in Section 3.2.3. As stated in the DSED and this FSED, herring does fall under MLMA when a FMP is developed. At that time, the MLMA will direct the FMP development. It should be noted however, that the MLMA does not specify that constituent involvement be mandated during an independent peer review of the FMP. Please review Section 3.6 of the DSED and this FSED along with Section 7062 of the Fish and Game Code.

7.3 Copy of Letters Received

FROM :

FAX NO. :

Aug. 17 2005 12:44PM P1

K-C FISH CO. INC.
F.K.A. SEA K FISH CO. INC.
P.O. BOX 2040
BLAINE, WA. 98231-2040

PHONE 360-332-5121

FAX 360-332-8785

MARTIN KULJIS, PRESIDENT
GEORGE COSTELLO, V-PRESIDENT
STEVE KULJIS, SECRETARY

BILL EWING, SALES
MIKE ORDAL, PRODUCTION
LAWANA CHAPMAN, G.M.

AUGUST 17, 2005

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
C/O ROBERT R. TREANOR, EXECUTIVE DIRECTOR
1416 NINTH STREET
BOX 944209
SACRAMENTO, CALIFORNIA 94244-2090

VIA FAX: 916-653-5040

RE: PROPOSED CHANGES IN COMMERCIAL HERRING FISHERY:

DEAR COMMISSIONERS:

WE ARE WRITING IN SUPPORT OF SAN FRANCISCO BAY HERRING FISHERY OPTION 2 AS PROPOSED IN THE FISH AND GAME NOTICE OF PROPOSED CHANGES IN REGULATIONS SECTIONS 163 AND 164 RELATING TO THE COMMERCIAL HERRING SEASON FOR 2005/2006. WE ALSO SUPPORT THE REGULATORY AMENDMENTS AS RELATING TO THE TOMALES BAY FISHERY.

REDUCING THE MESH SIZE IN SAN FRANCISCO BAY TO 2 INCHES WILL ALLOW THE FISHERS TO CATCH THE QUOTA IN A SHORTER TIME PERIOD, THUS REDUCING THE STRESS ON THE HERRING BIOMASS AND ON OTHER MARINE LIFE IN THE BAY. IT WILL ENHANCE THE ECONOMIC EFFECTS OF THE FISHERY BY INCREASING THE PERCENTAGE OF CATCHABLE BIOMASS. THIS CHANGE WILL ENCOURAGE PERMIT HOLDERS TO RENEW PERMITS AND PARTICIPATE IN THE FISHERY, MAINTAINING THE REVENUE TO FISH AND GAME PROVIDED BY THOSE FEES. WITHOUT THIS CHANGE, SOME PERMIT HOLDERS ARE ANTICIPATING NON-RENEWAL BECAUSE OF FINANCIAL HARDSHIP. CURRENTLY, CALIFORNIA RESIDENT PERMIT HOLDERS PAY A COMMERCIAL LICENSE RENEWAL FEE OF \$95, A PERMIT FEE OF \$265, AND AN ASSESSMENT OF \$100, PLUS THE BOAT REGISTRATION RENEWAL EACH YEAR. NON-RESIDENTS PAY A COMMERCIAL LICENSE FEE OF \$285, A PERMIT FEE OF \$1,000, AN ASSESSMENT OF \$100, PLUS A BOAT REGISTRATION RENEWAL OF \$750. IF THE PERMIT IS HELD IN PARTNERSHIP, THE COMMERCIAL LICENSE FEE IS DOUBLED.

WE CONCUR WITH THE PROPOSAL TO ALLOW WEEKEND FISHING IN TOMALES BAY. IN RECENT YEARS, CONSISTENT WEEKEND SPAWNING HAS PREVENTED OPTIMUM HARVEST OF HERRING IN TOMALES, SINCE THE FISHERS HAVE HAD TO STOP FISHING ON FRIDAY.

FOR QUALITY SEAFOOD, HOOK UP WITH OUR LINE

Lawana Chapman letter, page 1 of 2

FROM :

FAX NO. :

Aug. 17 2005 12:45PM P2

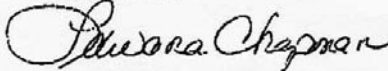
WEEKEND HERRING FISHING SHOULD HAVE NO ADVERSE AFFECTS FOR PLEASURE BOATERS IN THAT AREA, AND WILL GREATLY INCREASE THE ECONOMIC BENEFITS OF THE TOMALES FISHERY.

A DECEMBER 11 OPENING IN SAN FRANCISCO BAY FOR THE DH FISHERMEN, WITH A CLOSURE ON DECEMBER 23, AND A RE-OPENING ON DECEMBER 26 THROUGH THE 30TH WILL COINCIDE THE DECEMBER FISHERIES WITH SPAWNING TIMES IN RECENT YEARS ACCORDING TO FISH AND GAME DATA.

WE FULLY SUPPORT THE PROPOSED CHANGE IN PERMIT TRANSFER FEES AS OUTLINED IN SECTION 163.1. THE TRANSFER FEE OF \$5,000 IS INEQUITABLE GIVEN THE CURRENT LOW VALUE OF PERMITS. BECAUSE OF THE RECENT INCREASE IN COMMERCIAL FISHING LICENSE AND COMMERCIAL BOATS REGISTRATION FEES, AND THE INABILITY TO ATTRACT NEW FISHERS BECAUSE OF THE TRANSFER FEE, MANY PERMIT HOLDERS ARE FACING NON-RENEWAL AND LOSS OF THEIR PERMITS. ONE CAN BALANCE THE LOSS OF REVENUE FROM A DECREASE IN TRANSFER FEES TO \$1,000 WITH THE PROSPECT OF LOST PERMIT RENEWAL FEES. 3

WE FEEL THAT CALIFORNIA FISH AND GAME HAS DONE AN EXCELLENT JOB IN ADDRESSING ECOLOGICAL, ECONOMIC, AND MANAGEMENT CONCERNS IN THEIR PROPOSAL NUMBER TWO UNDER SECTIONS 163 AND 164, AND THE PROPOSAL FOR PERMIT TRANSFER FEE REDUCTION UNDER SECTION 163.1.

SINCERELY,



LAWANA CHAPMAN FOR MARTIN KULJIS
SIGNED IN HIS ABSENCE TO PREVENT DELAY

Lawana Chapman letter, page 2 of 2

Doug Karlberg
PO Box 4397
Bellingham, WA 98227

15-Aug-05

AUG 30 2005

CALIFORNIA FISH & GAME
BELMONT OFFICE

California Fish and Game Commission

Re: Public comments and proposal suggestions for the San Francisco Herring Fishery

Dear Commissioners,

Unfortunately I am not able to attend this Commission meeting, but I would appreciate you reading my comments. I first introduced these comments and proposals to the DHAC meeting in April. Unfortunately the DHAC Committee failed to take any action on my proposals, even though Becky Ota assured me that they would. The DHAC Committee's failure has caused me to bring these comments and proposals directly to the Commission.

comment 1

I believe that the department staff did not like my proposals because some of them are critical of the Department, and so the proposals and their constructive criticism has effectively been eliminated from your purview.

comment 2

Let me encapsulate the important criticism. First I have lost all confidence in the Herring Staff to manage this fishery biologically. I firmly believe that the problem with the San Francisco herring fishery is not the fishermen, but the herring staff. An incompetent biological staff can and will cause major problems in any fishery.

comment 3

The department underwent a hastily put together "peer" review. The department touts this review as to why you as commissioners should trust their opinions. Unfortunately the peer review noted that the herring stock in San Francisco has been diminished to less than 20% of the historical size. This is absolute proof of failure. Good management simply would not produce this result. Additionally the peer review noted that older age herring had been eliminated from the herring stocks and recommended rebuilding.

Two years have passed since this peer review and the department has not made any substantial progress towards increasing the older age class herring.

comment 4

Commissions such as yours depend on the competence of the scientific departments' recommendations. The popular view is that over fishing causes diminished fish stocks. This is absolutely not true today. Fishermen only harvest what the government allows. The government setting too high quotas is what causes diminished fish stocks today.

comment 5

The California Department of Fish and Game herring staff have been charged with rebuilding the herring stocks. Specifically rebuilding the older age classes of herring. Last year the Department recommended a conservative harvest quota of 3500 tons, of which only 200 was actually catchable. So their cure to this scientific error last year is to recommend a almost 6,000 ton quota this year. This is ludicrous.

comment 6

Doug Karlberg letter, page 1 of 4

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AUG 30 2005

CALIFORNIA DEPT. OF FISH & GAME
BELMONT OFFICE

The herring staff is incompetent. Worse, I can find no fishery management team which spends more money to manage a fishery of this size. The herring team as an organization seems to be more interested in their organization, than the resource.

comment 7

If this fishery fails to increase, the blame can be squarely placed upon the shoulders of the paid experts, and unfortunately upon your shoulders for trusting them.

The Department has placed in front of you a perfect 150 page document that is designed to provide a basis for your trust not being misplaced. The sad fact is that in all fishery management, it is not office work that effectively manages a fishery. All fishery management pivots upon the fishery data that is collected in the field. If the field data is of poor quality, not amount of paper and fancy mathematical models will ever fix the management.

Copious fisheries have declined into total crisis following the newest "model". Mathematical models are utilized today, but their failures are not publicized with the same zeal as their initial rollout.

Currently the Department uses a mathematical model that is only used in one other fishery in the world. The other fishery is not even a herring fishery.

comment 8

Here are my suggestions for improving the San Francisco fishery. Hire a biologist that has a demonstrated competence in accurately measuring spawn deposition of herring. Not in theory, but actually in the field. If you are not able to hire such a person, then this spawn deposition should at least be field audited by an audit team from Canada, so that you can trust the department's work.

comment 9

I view the department's biologists as the only experts sitting at the table when quota decisions are made. This is risky. I view these biological decisions more like choosing a heart surgeon, rather than an auto mechanic. I want to know what a surgeon's real life experience is, and what his mortality rate is.

A spawn deposition survey should be checked against a bioacoustics survey, but not the acoustical method the department is now utilizing. Fisheries management has long eclipsed the method currently utilized. Biological measuring devices should be placed directly upon fishing vessels. Simply put this method is cheaper and the results are more accurate.

comment 10

All biological data should be developed in a format that is standardized so that other biologists that manage herring can provide an independent review easily and annually until the Department has a history of successfully rebuilding both the size of the resource and the older age classes of herring. Today the department does not have a history of this performance. Biological data should be published in its raw form immediately. Sitting on raw biological data can entice managers to massage the data once they get a sense of the political winds. This is horrible and fraudulent science.

comment 11

Doug Karlberg, page 2 of 4

Last, when a herring population is clearly at a low level. Double checking and auditing the quality of the data and opinions from you Department staff needs to be a priority. The risk to the resource demands that even the department is not above scrutiny.

comment 12

Modern fisheries management is now discovering the importance to the resource of joint work between government agencies and the fishermen. The accomplishments in this area are substantial. When the fishing industry does not have confidence in the government's managers this cooperation becomes impossible. When the Department becomes entrenched and defensive this is a sure sign that the managers are not open to this type of cooperation. The real field knowledge of fishermen coupled with the scientific knowledge of managers is an unbeatable combo, both on a cost basis and a scientific basis. It needs real cooperation and careful management of the conflicts of interest obvious in the harvesting sector, but the results are pretty amazing when current government "experts" realize that the resource benefits from knowledge, even if it is not their own.

comment 13

I would recommend a quota level of 3,000 tons, not the aggressive 5,800 ton quota. My opinion is not necessarily the correct opinion, but if I am wrong, the result will be a larger quota next year. If the Department is wrong (like last year), the consequences to the fishery may be catastrophic. When a fisherman recommends a smaller quota, this is not conflict of interest, although some of my peers may take me off their Christmas card list.

comment 14

Thank's for your time reading this material.

Warmest regards,

Doug Karlberg

Doug Karlberg

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BELMONT OFFICE

Doug Karlberg letter, page 3 of 4

BRITISH COLUMBIA ANNUAL COST OF MANAGEMENT OF ROE HERRING FISHERIES

Management Area	Fishery Officer Costs	On Grounds Managers Costs	Vessels Used for Fishery Management and spawn surveys	Science salary costs
	Overtime, Salary, travel, etc	DFO funded	DFO funded	Industry funded
West Coast Vancouver Island	\$21,000	\$21,000	\$10,000	\$279,800
SE of Georgia	\$17,000	\$30,000	\$17,500	\$495,600
Central Coast	\$43,000	\$17,500	\$10,000	\$273,600
North Coast	\$10,000	\$17,500	\$10,000	\$201,600
Fraser River	\$10,000		\$63,000	
Science work applies to all areas	\$101,000	\$86,000	\$47,500	\$63,000
TOTALS				\$1,280,400

COMPARISON COST BRITISH COLUMBIA VERSUS SAN FRANCISCO HERRING

BC, Canada
San Francisco
Tons Herring Harvested
30,000
3,000

Costs per Ton Management

Percentage difference
Canada vs. California

British Columbia	\$1,762,900 CDN	\$1,427,949.00 USD	\$47.90
Totals	\$1,762,900 CDN	\$81,810.00	\$2.73
Enforcement		3000	
California DFO total	\$ 550,000	\$ 216.87	455%
	\$ 350,000	\$ 116.67	4278%

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AUG 30 2005
CALIFORNIA STATE
ELECTRONIC OFFICE

August 10, 2005

Mr. Robert Treanor:
Executive Director
California Fish and Game Commission

Would you please add to the agenda for the California Gill Net Herring Fishery, the following three proposals.

- 1-Allow an individual to own a single permit for each of the different Herring gillnet Platoons in San Francisco Bay.
- 2-Eliminate the Point System for Qualifying for a Herring Permit.
- 3-Allow a Herring Permit to be passed from a parent to child, or between husband and wife.

These three proposals have already been debated and passed and entered in the fish and game code by the California Legislature, (8552.3) and should be entered in the Herring Regulations. They will remove severe hardships on widows and family members of deceased fishermen.

Thank You

Sam Liberati
Herring Fisherman

Sam Liberati letter

Mr. Robert R. Treanor

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CALIFORNIA
FISH AND GAME
COMMISSION

2005 AUG 22 PM 11:47

comment 1

In the CEQA document the Belmont office has finally given an answer as to why they have continued to violate the fish and game codes pertaining to the MLMA. The Directors Herring Advisory Committee has asked for the answer for years. Belmont's answer has always been no response. Below is Belmont's reasoning.

In the CEQA (SCH No. 98052052) chapter 3-26 item number 8.

Item number 8, the independent peer review sought by the Department and the alleged violation of the Marine Life Management Act (MLMA), refers to the controversy based on the belief by some herring industry members that the Department violated the MLMA when a peer review on biomass assessment methodologies and preliminary use of a stock assessment model was done. **The Department did not violate MLMA because the herring fishery is not subject to that Act until a fisheries management plan (FMP) is developed.**

We strongly disagree with Belmont. "The California Fish and Game Commission has held the management authority for all herring fisheries in the state since 1976". (ENV DOC, 1998)

comment 2

The MLMA addresses its relationship to the herring fisheries in the following.

According to the MLMA - scope

The fishery management system established by the MLMA applies to four groups of fisheries.

1. The nearshore finfish fishery and the white scabass fishery.
2. Emerging fisheries - new and growing fisheries that are not currently subject to specific regulation.
3. Those fisheries for which the Fish and Game Commission held some management authority before January 1, 1999. Future regulations affecting these fisheries will need to conform to the MLMA.
4. Those commercial fisheries for which there is no statutory delegation of authority to the Commission and Department. (In the case of these fisheries, the Department may prepare, and the Commission may adopt, a fishery management plan, but that plan cannot be implemented without a further delegation of authority through the legislative process.)

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CA DEPT FISH & GAME
BELMONT OFFICE

According to the online Guide to California's Marine Life Management Act:

The fishery management system established by the MLMA applies to four groups of fisheries [7051(b) and 7071(a), (b), and(c)].

The first group includes those fisheries for which the Commission held some management authority before January 1, 1999. This group includes all sport fisheries and commercial fishing for the species listed in the Introduction. Future new regulations affecting these fisheries will need to conform to the MLMA.

Matt Ryan-Kevin Marilley letter, page 1 of 2

Species listed in the Introduction

Unless mentioned by name in the regulations, any species may be taken without restriction for commercial purposes. If a species is mentioned in regulations, it may be taken only under the conditions described in those regulations. Species groups listed in the code of regulations include abalone, anchovy, bait fish, barracuda, several basses, broadbill swordfish, California halibut, clams, corbina, several crabs, several croakers, goby, grunion, hagfish, **herring**, Kellet's whelk, killifish, limpets, lingcod, spiny lobster, marlin, mussels, octopus, oysters, Pacific bonito, plainfin midshipman, prawns, queenfish, rays, rockfish, sablefish, salmon, sardines, sea cucumber, sea urchin, shad, several sharks, shiner perch, shrimp, skates, smelt, squid, sculpin, sturgeon, sunfish, surfperch, several tunas, and yellowtail. The Fish and Game Code prohibits commercial fishing for several dozen other species, including some invertebrates such as scallops and krill, and some fish, such as white sharks, garibaldi, and marlin.

We believe the MLMA establishes a set of ground rules, and we question why the herring management continues to ignore the fish and game codes pertaining to the MLMA. .

| comment 3

This letter is a request for an answer in writing on whether the MLMA applies to the herring fisheries.

DHAC Members:

Matt Ryan 360-961-5390
5145 Graveline Rd
Bellingham Wa. 98226

Kevin Marilley 360-961-8856

Matt Ryan-Kevin Marilley letter, page 2 of 2